

W.E. DAVIS, SPECIAL COMMISSIONER, GRANTOR

TO

SPECIAL COMMISSIONER'S DEED

WASHINGTON MUTUAL, SUCCESSOR BY MERGER  
TO BANK UNITED, GRANTEE

WHEREAS, on the 29<sup>TH</sup> day of April, 1998, GLADYS TODD EDWARDS, HAMPTON EDWARDS, AND SAM ELLAR EDWARDS, executed a Deed of Trust to MICHAEL GOWAN, Trustee, for the benefit of MORTGAGE MIRACLES, LLC, which Deed of Trust is recorded in Trust Deed Book 1019, Page 761, in the Office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, this Deed of Trust was subsequently assigned to EQUIVANTAGE, INC., as Trustee, by instrument dated April 29, 1998, and recorded in Real Estate Deed of Trust Book 1037, page 398, and re-recorded in Book 1088, page 278, and re-recorded in book 1105, page 334, and further re-recorded in Book 1129, page 194, all in the Office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, the Note and Deed of Trust were subsequently assigned to IMPAC Funding Corporation by instrument dated May 14, 1998, recorded in the Office of the Chancery Clerk in Book 1152, page 235, and then further assigned to Bank United by instrument dated December 17, 1998, and recorded in the office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book 1152, page 238.

WHEREAS WASHINGTON MUTUAL, was the Successor by merger to Bank United as prescribed by the Note and Deed of Trust.

WHEREAS, default was made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms and conditions of said Deed of Trust and the holder of said indebtedness having filed a suit for judicial foreclosure and within that suit having asked the Court to designate the undersigned Chancery Court Clerk as Special Commissioner to execute the Trust by enforcing the lien on the real property and sell said land in accordance with the

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terms and conditions of said Deed of Trust and in compliance with the Judgment entered on August 24, 2005, in Cause No. 03-6-1067 in the Chancery Court of DeSoto County, Mississippi, and in the subsequent order entered in that cause on September 20, 2005.

THEREFORE, in consideration of the premises, I did, pursuant to said Court Order, on the 4<sup>th</sup> day of December, 2006, within legal hours at the East Front Door of the County Courthouse in the City of Hernando, DeSoto County, Mississippi, offer for sale and sell at public outcry to WASHINGTON MUTUAL, SUCCESSOR BY MERGER TO BANK UNITED, being the highest and best bidder for cash, at and for the sum of Seventy-Seven Thousand Two Hundred Fifteen and 17/100 Dollars (\$77,215.17) the land mentioned in said Deed of Trust lying and being situated in DeSoto County, Mississippi, described more particularly as follows:

Located in Section 31, Township 3 South, Range 6 West, DeSoto County, Mississippi, more fully described as beginning at a point 639 feet West and 40 feet North of the Southeast corner of the Southwest quarter of said section, said point Being in the North right of way line of gravel road running East and West Along the DeSoto Tate County line; thence continuing along said right of way Line South 85 degrees 30 minutes West 225 feet to a point; thence North 3 Degrees 30 minutes West 290 feet to a point; thence North 85 degrees 30 Minutes East 225 feet to a point; thence South 3 degrees 30 minutes East 290 feet to the point of beginning and containing 1.5 acres more or less. All bearings are magnetic. For information purposes only: Property Address Known as: 6422 County Line Road, Coldwater, Mississippi 38618. Tax ID No.: 3069-3100.0-00010.00.

The time, terms and conditions and place of sale were duly advertised for four (4) consecutive weeks immediately preceding the sale by publication in the *DeSoto Times Today*, a newspaper published and having a general circulation in DeSoto County, with Proof of said Publication being attached hereto and made a part hereof and by posting a Notice of said sale on the bulletin board of the Courthouse in said County on the 1st day of November, 2006, said Notice remaining on said bulletin board until the date of the sale, to-wit: December 4, 2006, Monday.

THEREFORE, in consideration of the premises and the payment to the Special Commissioner of the sum of Seventy-Seven Thousand Two Hundred Fifteen and 17/100 Dollars (\$77,215.17) by WASHINGTON MUTUAL, SUCCESSOR BY MERGER TO BANK UNITED, I, W. E. DAVIS, CHANCERY COURT CLERK, DESOTO COUNTY, MISSISSIPPI, AND SPECIAL COMMISSIONER, do hereby sell and convey to said WASHINGTON MUTUAL, SUCCESSOR BY MERGER TO BANK UNITED, the land hereinabove mentioned, conveying only such title as is vested in me as Special Commissioner.

WITNESS my signature this 4<sup>th</sup> day of December, 2006.

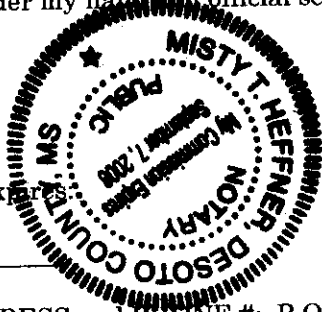
W. E. Davis, Clerk  
W. E. DAVIS, CHANCERY COURT CLERK,  
DESOTO COUNTY, MS,  
SPECIAL COMMISSIONER

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named W. E. DAVIS, CHANCERY COURT CLERK, OF DESOTO COUNTY, MISSISSIPPI, SPECIAL COMMISSIONER, who acknowledged signing and delivering the above and foregoing Commissioner's Deed on the day and date therein mentioned as a free and voluntary act and deed and for the purpose therein expressed.

GIVEN under my hand and official seal of office this the 4<sup>th</sup> day of December, 2006.

My Commission Expires \_\_\_\_\_



Misty T. Heffner  
Notary Public

GRANTOR'S ADDRESS and PHONE #: P.O. Box 276, Hernando, MS 38632

HOME: n/a WORK: 662-429-5277

GRANTEE'S ADDRESS and PHONE #: 11200 West Parkland Avenue, Milwaukee, WI 53224

HOME: n/a WORK: 1-866-926-8937


STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned Notary Public in and for the state and county aforesaid, the undersigned Trustee who after being first duly sworn stated upon oath the following:

I do not have a financial or beneficial interest, either direct or indirect in the outcome of the sale or the beneficiary of the Deed of Trust described above.

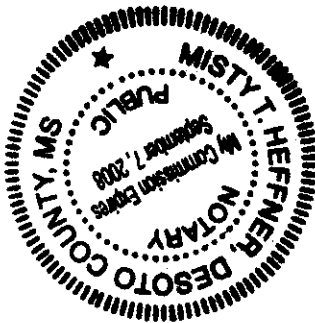
  
W. E. Davis, Special Commissioner

Sworn to and subscribed before me this the 4<sup>th</sup> day of December, 2006. .

  
Notary Public

My Commission Expires:

Prepared by  
Walker, Brown & Brown, P.A.  
2540 Highway 51 South  
P.O. Box 276  
Hernando, MS 38632  
662-429-5277  
901-521-9292  
662-429-5280 Fax



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# PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Diane Smith** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

IN THE CHANCERY COURT OF  
DE SOTO COUNTY,  
MISSISSIPPI  
WASHINGTON MUTUAL,  
SUCCESSOR BY MERGER  
TO BANK UNITED, PLAINTIFF  
VERSUS  
GLADYS TODD EDWARDS,  
HAMPTON EDWARDS, AND  
SAM ELLAR EDWARDS,  
DEFENDANTS  
NOTICE OF SPECIAL  
COMMISSIONER'S SALE

By virtue of an Order of the County Court of DeSoto County, Mississippi, directed to me as the Chancery Court Clerk of DeSoto County, Mississippi, as Special Commissioner, I, W.E. Davis, Chancery Clerk of DeSoto County, Mississippi, will on the 4th day of December, 2006, Monday, at the East door of the Courthouse in the City of Hernando within legal hours expose to sale at public outcry to the highest bidder for cash all the right, title and interest and claim of the Defendants, GLADYS TODD EDWARDS, HAMPTON EDWARDS, and SAM ELLAR EDWARDS, as in and to that certain lot or parcel of land in DeSoto County, Mississippi, described as follows, to wit:

Located in Section 31, Township 3 South, Range 6 West, DeSoto County, Mississippi, more fully described as beginning at a point 639 feet West and 40 feet North of the Southeast corner of the Southwest quarter of said section, said point being in the North right of way line of gravel road running East and West Along the DeSoto-Tate County line; thence continuing along said right of way line South 85 degrees 30 minutes West 225 feet to a point; thence North 3 Degrees 30 minutes West 250 feet to a point; thence North 85 degrees 30 minutes East 225 feet to a point; thence South 3 degrees 30 minutes East 290 feet to the point of beginning and containing 1.5 acres more or less. For information purposes only: Property Address Known as: 6430 County Line Road, Coldwater, Mississippi 38618. Tax ID No: 3089-3100-0-00010-00.

Volume No. 111 on the 9 day of Nov., 2006  
Volume No. 111 on the 16 day of Nov., 2006  
Volume No. 111 on the 23 day of Nov., 2006  
Volume No. 111 on the 30 day of Nov., 2006  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2006

*Diane Smith*

Sworn to and subscribed before me, this 30 day of Nov., 2006

BY *Judy A. Douglas*

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2009  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

A. Single first insertion of 318 words @ .12 \$ 45.36  
B. 3 subsequent insertions of 1134 words @ .10 \$ 113.40  
C. Making proof of publication and depositing to same \$ 3.00  
TOTAL PUBLISHER'S FEE: \$ 161.76

The above described property has been levied on for the property of the Defendants, GLADYS TODD EDWARDS, HAMPTON EDWARDS, and SAM ELLAR EDWARDS, and will be sold to satisfy a judgment entered in said cause on the 4th day of December, 2006, at 11:00 o'clock A.M., against the Defendants in said cause and all costs.  
WITNESS MY SIGNATURE this the 1st day of November, 2006.  
/s/ W. E. Davis, Clerk  
W.E. DAVIS, CHANCERY CLERK,  
SPECIAL COMMISSIONER  
Published: November 9, 10, 23 & 30, 2006